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Biz of Acq — What Color Is Your Hat? Ethics in Library - Vendor Relations

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"Always do right. This will gratify some people, and astonish the rest."
— Mark Twain

We all want to wear white hats, don’t we? Each of us likely sees the hat on our own rack as pretty clean, and most hats probably are. My intention in this article is to offer a vendor’s perspective on the ethics of acquiring and wholesaling books.

Ethics involves the ability to think clearly and critically through a challenging problem, and to understand the difference between what one has a right to do, and the right thing to do. For the purposes of this discussion, let us think of a spectrum, or continuum, of librarians’ and vendors’ business behavior, which moves from etiquette, through ethics, to legality.

Problems may arise, however, from the common notion that with recurrent tales of corruption in so many aspects of modern life, ethics often is what each of us thinks should govern the other continued on page 70

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person. But life today is probably more ethical in many respects than in previous ages. We have created more and higher ethical standards than in the past, and what may seem to be a decline in today's ethics is more likely a rise in acceptable standards. After all, in a broad and democratic sense, ethics is whatever society decides is the right way.

In this discussion I'll reflect on the hues of the hats we wear in various situations: from white, to shades of gray, to .. black.

Ethics is a weighty issue, and I don't mean to be facetious, but let's begin with a small quote attributed to Oscar Wilde: "I can resist everything, except temptation."

Let's first consider what ethics is. The American Heritage Dictionary of the English Language, fourth edition (2000), offers two definitions: "[a] set of principles of right conduct," and "[t]he rules or standards governing the conduct of a person or the members of a profession."

Referring back to the color spectrum, let us suggest some shades of definition:

The White Hat: Here the wearer strives to maintain a code of professional ethics that recognizes human interdependency and relationships. Business activities are carried out with honesty and integrity. Nevertheless, slight ethical smudges probably cannot be avoided, nor should they be harshly faulted.

The Gray Hat: Here the wearer adopts questionable ethical standards, such as:
- situational ethics, in which the end justifies the means;
- power ethics, which justify exploiting the weakness of others (e.g., a company's disclosng a competitor's financial problems);
- the ethics of duplicity, which permit pushing traditional behavioral limits for maximum gain (e.g., a vendor proffering larger discounts without advising the library client, in detail, of reduced levels of service).

The Black Hat: Here the wearer's behavior is clearly unacceptable, illicit, or illegal. Examples include:
- falsifying information;
- quoting one set of terms but acting with others;
- exchanging expensive gifts;
- taking or receiving kickbacks;
- ordering books from one source but returning them to another;
- informing a favored source of confidential bidding information.

I would suggest that there are few, if any, black hats upon our collective heads. Yet declining business ethical standards in society at large may lure librarians and vendors towards questionable behavior. Consider this: In a 1989 survey conducted by The Pinnacle Group, Inc., an international public relations corporation, 1,039 high-school seniors were asked how far they would stretch ethical standards in order to get ahead in the business world. No idealistic youths, these. When asked if they would be willing to face six months' probation on an illegal deal in which they made $10 million, 59% said either "definitely yes" or "maybe." Further:
- 36% would plagiarize in order to pass a certification test;
- 67% said they would inflate their business-expense reports;
- 50% said they would exaggerate on an insurance damage report;
- 66% would lie to achieve a business objective;
- 40% would accept a gift from a supplier worth more than $100;
- 23% would accept $500 in cash from a supplier; and
- 32% would accept a free vacation.

Amotai Etzioni, a professor at George Washington University, confirms this evidence of low ethical standards among business students. While teaching ethics to MBA students at Harvard Business School, Etzioni found that business-leaders-to-be firmly believed in "consumer sovereignty"—let the market provide whatever (licit) products or services customers are willing to open their wallets for. Etzioni refers to John Kenneth Galbraith's argument that corporations actually produce or attempt to create demand for their products. We should ask ourselves if this is true in the library market. Etzioni laments his failure to convince MBA students that there is more to life than money, power, fame, and self-interest.

These reflections on business ethics in society at large provide a framework through which we librarians and vendors might look to our home fronts. Let us now consider the library acquisitions arena.

Several codes of ethics govern acquisitions librarians' business behavior. These include ALA's Code of Ethics, ALA/LC's Guidelines, and AALL's Ethical Principles. These guidelines might be summarized by Article VI of the ALA Code, which reads: "We do not advance private interests at the expense of library users, colleagues, or our employing institutions."

Here are suggestions for how librarians might apply this principle in three areas of relations with vendors:
1) Entertainment (lunches, dinners, refreshments, etc.): Don't allow entertainment subtly to affect your judgment. Rather, use objective

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criteria, such as documented quotations and standard performance measures, to determine business decisions. Be aware of reasons for making decisions.
— Don’t seek the “free lunch”; Library customers should neither allow themselves to be enticed by a vendor, nor invite a questionable proposal from a vendor. Unethical offers are seldom made without some hint of receptivity.

2) Conference Receptions: Vendors offer receptions chiefly in the spirit of good will, and to provide a place for librarians to relax, socialize, and talk informally with vendors.
— Don’t accept a personal invitation from the host company if you have strong reasons for not doing business with the firm, or if you are openly critical of the firm. On the other hand, librarians should not feel obliged to attend vendors’ receptions.

3) Business Dealings: Bargain in good faith, based upon honest, clear, and mutually understood terms, and with the approval of appropriate decision-makers;
— If the library or the publisher causes problems or errors, don’t blame the vendor (although a vendor may be able to help find a solution);
— Pay invoices promptly. Ethically troubling consequences of past-due accounts include financial harm to the vendor and higher costs to libraries;
— If a vendor provides no-cost selection tools, such as approval or new-title notification services, the library should honor the vendor’s need to receive orders for selected titles;
— Honor volume commitments, to every degree possible; Provide a fair, mutually agreeable order mix;
— Make appropriate returns promptly; Avoid over-encumbering, which leads to a vendor bail-out;
— Don’t sacrifice quality for perceived low cost;
— Never seek a donation from a vendor before agreeing to do business (quid pro quo).

In summary, practice acquisitions librarianship in a business-like manner, and expect your vendor to uphold the same standards. Insist upon excellence in all facets of the vendor services you purchase, and in turn communicate clearly and candidly your needs, expectations, and intentions— as well as your assessment of the vendor’s performance.

Now let’s look at those enterprising folks, the vendors. Vendors are for-profit organizations. Earning a profit is not only ethical, but essential; libraries depend on healthy firms which will be there tomorrow, next year, and far into the future. Moreover, while some vendors are staffed with library professionals and people with a keen interest in books and libraries, the successful company must also sail a tight ship of business practices— sails trimmed for long-term financial stability— and eschew the tendency to jockey for the “fast buck.”

The book vendor’s business is service, acting as a liaison and buffer between the library and publishers. The vendor’s challenge is to play the role of a Janus (in the Roman sense of a passageway), without being “Janus-faced.”

Positioned in this portal between the publishing and collecting arenas, here is what the vendor must do:
• Be versatile in meeting numerous library requirements, while coping with an array of less-than-palatable publishers’ practices;
• Deal with the costs of erroneously-sent and defective books; inaccurate publisher status reports; pre-payments and claims for books never received (often never shipped, despite being prepaid); denial of returns even for erroneously-sent, defective, or damaged books; and often cumbersome returns procedures;
• Accept responsibility for library returns that often result from pre-order searching errors. Although the customer is not always right, the vendor must avoid saying the customer is wrong;
• Mediate successfully between librarians and publishers, yet ensure one’s own long term success through sound business practices. That is, earn profits ethically.

Here are some suggestions for vendors in their relations with librarians:
• Be honest about what you can and will do, and cannot or will not do;
• Do what you say you will do, at the price you offer;
• Use discretion, etiquette, and honesty when referring to competitors;
• Control entertainment costs. Avoid extravagant or lavish gifts. Libraries benefit by lower costs;
• Do not attempt to exert inappropriate influence within a library’s organization in order to a sway customer’s decision;
• Work with appropriate personnel. Going over or around the principal library contact may harm the business relationship;
• Avoid drop-in visits, which are usually an imposition and potentially an insult. Schedule meetings with clients and keep appointments;
• Be knowledgeable, informed, resourceful, and always professional;
• Do not presume what a library’s collection does and does not need; and
• Know the account: its history, staff, special requirements and characteristics, collection interests, and current programs.

Entertainment seems continually to prod librarians to ethical reflection, as evinced by the library science literature on this topic. My view is that business entertainment is sanctioned by centuries, if not millennia, of custom. Today’s society certainly encourages the tradition. Indeed, entertainment, conference receptions, and exhibiting at and supporting library events are legitimate expenses for vendors. A symbiotic library-vendor relationship can certainly involve entertainment. The question is: how are discretion and limits applied?

In conclusion, a mutually beneficial relationship in any business activity should be an ethical one. Vendors and librarians alike seek productive working relationships. So, let’s don our white hats, keep them dusted off as best we can, and focus on the similarities in our respective missions. By pursuing ethical business relationships, we will engender measures of mutual trust and respect.

EndNotes